

## MINUTES

### CITY PLAN COMMISSION/ARCHITECTURAL REVIEW BOARD

March 19, 2007

A meeting of the City Plan Commission/Architectural Review Board of the City of Clayton, Missouri, met upon the above date at 5:30 p.m., Chairman Harold Sanger presiding. Upon roll call, the following responded:

#### Present

Harold Sanger, Chairman  
Michael A. Schoedel, City Manager  
Steve Lichtenfeld, Aldermanic Representative  
Debbie Igielnik

#### Absent:

Mark Zorensky  
James Liberman  
Marc Lopata

#### Also Present:

Catherine Powers, Director of Planning & Development Services  
Jason Jaggi, Planner

Chairman Sanger welcomed everyone to the meeting and asked that conversations not take place during the meeting and that all cell phone and pager ringers be turned off. He made an announcement that only 4 of the 7 members are in attendance this evening and therefore, offered the applicants the opportunity to ask for a continuance if they so desired. Chairman Sanger then announced that the applicant for the Sign Sub-district for The Crescent project had previously asked that their request be postponed until a later date.

#### MINUTES – MEETING OF MARCH 5<sup>TH</sup>, 2007 PLAN COMMISSION/ ARCHITECTURAL REVIEW BOARD

The minutes of the meeting of March 5, 2007 were presented for approval. The minutes were approved after having been previously distributed to each individual member.

#### IMPERVIOUS COVERAGE MODIFICATION/ARCHITECTURAL REVIEW – NEW DETACHED GARAGE – 7511 WESTMORELAND

Mr. Gary Feder, attorney representing the seller, the purchaser and the architect, was in attendance at the meeting. Also in attendance were Bob Winters, project architect, John Rice, seller (current owner) and Scott Partridge (purchaser).

Catherine Powers explained that the first item of business for this item is a request for impervious coverage in excess of the maximum allowable of 55%. She stated that the applicant is proposing a 506 square foot detached garage at the rear of the property. The existing rear turnaround would be enlarged to provide access to the new garage. Considering the new garage and the driveway extension, the impervious coverage would be 59.9% which is above the allowed 55% in the R-2 Zoning District. While the design of the garage might lend itself for use as a second unit, the applicant and the plans indicate that no such use is proposed. She stated that Mr. Gary Feder submitted a letter indicating the need for the detached garage. In the letter, it is explained that the buyers of the property are relocating from the Gulf Coast and expect to have extended visits by their elderly parents who live in a nursing home and their children, who attend college out of state. The letter indicates the need to provide off-street parking to accommodate these visits. In addition, the on-street parking limitations on this section of Westmoreland also are cited as a need to construct the detached garage. Staff has concerns with this request for a modification to the impervious coverage provisions to the Zoning Ordinance for several reasons. Staff has the following observations with respect to the applicant's statements of just cause to allow the impervious coverage increase. First, the Plan Commission usually grants impervious coverage modifications in situations where there is an older home on a small lot and the applicant is proposing to replace a single car garage with a two car garage or when there is a clear hardship with the property to allow the construction of a new house. This proposal seeks to provide covered parking for four (4) vehicles on a piece of property that was developed only 5-years ago. Second, staff realizes the on-street parking restrictions for this block of Westmoreland. By ordinance, there is a two-hour limit on the north side of the street Monday through Saturday. However, unrestricted on-street parking is available across the street in front of the Maryland Schoolyard. Third, staff believes the family situation as described is not unusual for many homeowners in Clayton. There are likely many households in the City that have elderly parents and children who attend college which will visit their homes for extended periods of time. The impervious coverage is a land use decision and will remain with the property regardless of ownership. Fourth, the mitigation for the increased impervious area is challenging due to the inability to connect to a storm sewer. This property slopes from the street back to the rear of the lot. The residence was originally approved using drywells for the downspouts. It is not known how the garage downspouts will be handled and finally, the garage will be placed very close to an 18-inch tree which will likely be impacted by the construction. Catherine indicated that staff's recommendation is to deny the request for impervious coverage modification; however, if approved, staff recommends the following conditions:

1. That garage not be used as a second unit, unless as conditional use permit is approved by the Board of Aldermen,
2. That the 18-inch tree in the rear yard be evaluated by a certified arborist and an assessment as to the survivability of the tree during construction be provided to the city for review and approval,
3. That the applicant submit a landscape plan providing screening for the detached garage for staff review and approval,
4. That the applicant provide a revised site plan showing storm water mitigation for the detached garage for staff review and approval,

Mr. Feder introduced himself to the members, stating that the applicants agree to the conditions contained in staff's memorandum should the waiver/modification be granted. He stated that the new owners and their family were impacted by Hurricane Katrina and would like to move to Clayton. He stated they like the house and currently, it only provides off-street parking for 2 vehicles. He stated the importance of covered parking and mentioned the provision in the Zoning Ordinance that allows the Plan Commission to grant up to a 5% waiver over the 55% allowable coverage and that this request is in accordance with such provision. He stated he believes that this type of waiver differs from a setback variance as considered by the Board of Adjustment in that a "hardship" does not need to be defined here. He believes it is a question of evaluating the negatives versus the positives. He reiterated the applicant's compliance with all of the conditions as outlined in staff's memorandum. He stated that there are unique circumstances with regard to parking here in that the property currently has a very narrow driveway and that the on-street parking situation differs from that as indicated by staff in their memorandum in that there are signs limiting parking to 2 hours Monday through Friday from 9 a.m. to 5 p.m. posted on both sides of the street; not just one side as staff indicates. He stated the need for the additional parking for the extended family. Mr. Feder advised the members that the applicant is willing to re-design the garage so as to remove the dormers to address staff's concerns regarding living space as the applicants do not intend to use the garage as living space. He stated no matter the design of the garage, it will be architecturally consistent with the house. Mr. Feder commented that there are four homes within close proximity to this property that have multiple car garages and that there is nothing in the ordinances that suggests that detached garages are prohibited. He stated this garage will greatly serve the buyer's use of the property and again noted their agreement to comply with staff's recommendations as they are legitimate concerns. Mr. Feder introduced Mr. Partridge to the members.

Mr. Partridge stated he and his family was impacted by Katrina and is now living in a condominium in St. Louis; their fifth house since the hurricane. He stated they have family spread throughout the country and that home and family means everything to him. He told the members that he wants this to be his home and wants to be able to use and enjoy his property. He advised the members that no one will be living in the garage and that it will not have any interior plumbing. He stated he will do whatever necessary to get this garage in terms of complying with the City's requests.

Chairman Sanger stated that no matter what the outcome, he is delighted to have him and his family in Clayton.

Mr. Winters presented a site plan and photos of the property to the members. He stated the new owners want the detached garage in order to provide additional off-street parking. He reiterated that there are parking restrictions on both sides of the street. He stated the 506 square foot garage, located 25 feet from the rear of the house, 16 feet from the rear property line and 6 feet from the side property line, will be at the back of the property in order to provide adequate turning radius.

Mike Schoedel asked to discuss storm water run-off. He asked the current situation and how it will be affected by the garage addition.

Mr. Winters indicated that the site slopes south to north (front to back) and that there are currently two drywells – one in front and one in back. He stated if the garage is approved, a third drywell will be added behind the garage.

Mike Schoedel asked if water runs-off the rear of the property.

Mr. Winters indicated that the slope is gentle at the back of the property.

Steve Lichtenfeld commented about the resident parking tags that are available and asked the applicants if they were aware of them since neither staff's memorandum nor Mr. Feder's letter made mention of them.

Chairman Sanger asked staff to clarify the street parking situation.

Jason Jaggi indicated that the information contained in staff's report (memorandum) about the street parking was cited from the Ordinance and obviously, is incorrect as there are signs posted on both sides of the street limiting parking to 2 hours.

Debbie Igielnik asked about the parking permits (tags).

Mike Schoedel indicated that the permits (tags) are available and can be obtained.

Steve Lichtenfeld asked if the tags expire.

Mike Schoedel replied "no".

Mr. Feder stated that there will only be two permanent residents in the home and the remaining family members come and go.

Chairman Sanger asked if the tags are available to provide relief from the 2 hour parking restriction, if the impervious coverage modification for the garage would still be necessary.

Mr. Feder replied "yes". He stated they still want the garage for covered parking. He reminded the members that detached garages are not uncommon in Clayton.

Debbie Igielnik asked if pervious pavers were considered for the extended driveway.

Catherine Powers indicated that no credit is given for the pervious pavers, however, they are encouraged.

Steve Lichtenfeld asked if any consideration was given to locating the garage further to the east and north. He stated if that were done, the garage would not be directly outside the rear windows of the house and the 18-inch tree would not be impacted.

Mr. Winters stated they looked at several options and that the numbers did not work as well having the garage closer to the rear. He stated they can look at that again if the need arises.

Steve Lichtenfeld stated that it seems as though that would be a better use of the property. He asked what the setback requirements are for a detached garage.

Jason Jaggi stated that detached garages must be a minimum of 5 feet from both the rear and side property lines.

Steve Lichtenfeld asked about placing the garage at the north edge of the existing driveway.

Mr. Winters stated that would only reduce the impervious coverage by 40 square feet resulting in total lot impervious coverage of about 58%.

Catherine Powers commented about the photographs that were distributed earlier by Mr. Feder. She stated that at least two of the properties depicted in the photos have total lot impervious coverage at or below 55%. She stated she is unfamiliar with the properties depicted in the other photos.

Steve Lichtenfeld asked if the garages depicted in the photos are 2-car garages and if any of them are 3-car garages.

Mr. Rice indicated that none of them are 3 or more.

Steve Lichtenfeld stated there is more conflict with turning the vehicles around in the proposed project than there would be if they (the attached and detached garages) were opposite each other.

Mel Disney, 7507 Westmoreland, stated that only 1/3 of the homes in the block have detached garages and that the majority of them are older homes. He stated that when the alley was closed from the school to Maryland is when the parking restriction on the south side of Westmoreland was enacted. He stated that over the 43 years he has lived in his home, he had three teenagers who all parked on the street. He stated that the City's traffic control employees are good people and that there won't be a problem with the proper stickers (tags), notes on the vehicles, and/or familiarity with the vehicles. He stated allowing the excessive impervious coverage will set a precedent.

Ms. Dorothy Koken, 7408 University (property directly behind subject property) asked about the easement.

Jason Jaggi indicated that it is likely a utility (sewer and electric) easement, but the plan does not depict it. He stated it is most likely a 10 foot easement located entirely on the subject property and that the proposed garage is 16 ½ feet from the rear property line.

Mike Schoedel clarified that the garage is probably about 17 feet away from Ms. Koken's fence.

Ms. Koken stated she just wants to be sure her property is not affected by this proposal.

Mike Schoedel asked Mr. Winters what the ramifications are if the garage were to be moved further to the east.

Mr. Winters stated that there is a sewer line that runs along the east property line.

Steve Lichtenfeld indicated that he believes the PVC pipe is within the 5 foot setback area.

Chairman Sanger stated that he believes the sentiment is that the Board would like to make this work.

Mr. Feder asked for the opportunity to work with staff.

Mike Schoedel commented that this Commission has, for months, been addressing storm water issues and concerns. He gave credit to staff for its efforts and that storm water impact needs to be minimized. He stated that there is no storm sewer available to tie into for this property.

Debbie Igielnik asked the neighbors if there are water issues currently.

Ms. Koken indicated that her basement leaks sometimes, but that she believes that the existing landscaping and trees help to minimize run-off.

Mr. Disney indicated that the property at 7501 Westmoreland was building with a 3-foot high berm to prevent water run-off to University City.

Chairman Sanger asked for a very good solution to this situation.

Being no further questions or comments, Steve Lichtenfeld made a motion to table this item, seconded by Debbie Igielnik. The motion received unanimous approval.

Chairman Sanger asked that the dormers be removed from the proposal when they return.

Catherine Powers asked that a second floor plan be provided as well.

#### ARCHITETURAL REVIEW – SIGNAGE – BUDGET RENT A CAR – 7638 FORSYTH

Mr. Jon Krone with Warren Sign (sign contractor) was in attendance at the meeting.

Catherine Powers explained that this is continued consideration of a request by Budget Rent-A-Car Systems for review of the design and materials associated with installation of a wall sign and parking space identification signs association with the operation of a car rental agency at the subject location. At the March 5, 2007 meeting the Architectural Review Board voted to table the request for Budget Rent-A-Car signage. The Board was not in favor of the cabinet sign proposed and felt that a higher quality sign could be presented. The applicant has revised the wall sign to be individual channel letters. The letters will be made of blue aluminum returns with white acrylic faces. The Budget logo will be incorporated next to the text. The sign area is 12.5 square feet, less than the 15 square feet allowed by the Sign Ordinance for individual tenant spaces. Additionally, the applicant is proposing five (5) double sided identification signs for the reserved parking spaces at the Lyle parking lot. Each sign is designed to identify four (4) spaces. Staff believes that the newly proposed wall sign is an improvement over the previously approved cabinet sign. Staff recommends approval with the following conditions:

1. That reserved parking signs for Budget employees be installed for the two spaces off the rear alley for staff review and approval.

2. That the applicant obtain a Sign Permit prior to the installation of any signage associated with this business.

Mr. Krone stated the wall sign letters will be 5” deep and 11” tall. He stated the logo will be 15” tall. He asked if he needs to discuss the ground sign.

Chairman Sanger stated that this Board only needs to review the approve the wall sign; staff can make determination regarding the ground sign.

Mr. Krone indicated that the sign will be flush mounted, internally lit.

Steve Lichtenfeld asked the lighting type.

Mr. Krone replied “neon tubing”. He indicated that the logo is lit also. He advised the members that white LED lighting does not light up as clear and crisp as the neon tubing.

Jason Jaggi advised the members that the neon tubing is not exposed and therefore, not visible.

Mike Schoedel asked if the existing light above the door is to be removed.

Mr. Krone replied “yes”.

Being no further questions or comments, Mike Schoedel made a motion to approve per staff recommendations. The motion was seconded by Steve Lichtenfeld and unanimously approved by the Board.

#### COMMERCIAL EXPANSION – MAX’S RESTAURANT – 7750 CARONDELET AVE.

Mr. Patrick Hanon, owner, and Mr. Rob Callies, project architect, were in attendance at the meeting.

Mr. Hanon advised the Board that there will be a complete remodel of Max’s Restaurant in order to bring the restaurant to 2007 standards.

Mr. Callies indicated that the basis of the design for the addition is that it match the existing building. He stated the addition will extend 10-feet into the 10-foot front yard setback along Bemiston Avenue.

Chairman Sanger asked if once the remodeling is complete if the only access to the restaurant will be from inside the building.

Mr. Callies replied “yes”.

Steve Lichtenfeld asked about the 10 foot encroachment.

Catherine Powers advised the members that the Board of Aldermen has the authority to waive the setback requirement by amending the Planned Unit Development Ordinance.

Steve Lichtenfeld asked what will happen to the existing Crowne Plaza sign that will be covered by the new red awning.

Mr. Callies indicated that the Crowne Plaza sign will be relocated and that they will make application to the City once the new location is selected.

Steve Lichtenfeld stated he likes the new design.

Mr. Callies stated that he will be in contact with the Public Works Department about adding new landscaping.

Mr. Disney asked if a future property owner could make application to build atop this 10-foot, 1-story encroachment.

Catherine Powers indicated that a further amendment to the PUD Ordinance would be required and that adding atop this 1-story addition looks difficult to accomplish.

Mike Schoedel commented that the color rendering does not depict City streetscape. He asked for clarification that the streetscape is still there and will remain.

Mr. Callies replied “yes”.

Being no further questions or comments, Steve Lichtenfeld made a motion to approve per staff recommendations. The motion was seconded by Debbie Igielnik and unanimously approved by the Board.

#### OUTDOOR SEATING – BENITO’S GELATO – 14 NORTH CENTRAL AVENUE

Mr. Tyler Stephens, project architect, was in attendance at the meeting.

Catherine Powers explained that this is a request to operate outdoor seating consisting of 8 chairs at 2 tables along the front of the restaurant along Central Avenue. The bistro style tables are aluminum, measuring 24 inches in diameter. The chairs are also proposed to be aluminum. A 26-inch high metal pedestrian barrier is proposed to separate the dining area from pedestrian traffic. The plans indicate that the minimum clearance of 4-feet from the street tree to the barrier is being provided. At this time, no umbrellas are proposed for the tables. Staff recommends approval with the condition that the proper liability insurance be provided and that the applicant secure an Outdoor Dining Permit from the City’s Planning Department.

Mr. Stephens began a Power Point presentation. Slides depicting the storefront and sidewalk were shown. Mr. Stephens stated that the business came before this Commission/Board not too long ago for their conditional use permit and that they are now seeking approval for outdoor seating. He stated that they were originally requesting 4 tables, but they have reduced that number to 2 tables. He indicated that the aluminum pedestrian barrier will be painted black. A sample of the chair was presented.



Being no further questions or comments, Mike Schoedel made a motion to approve per staff recommendations. The motion was seconded by Debbie Igielnik and unanimously approved by the Board.

#### EXTERIOR RENOVATION – COMMERCIAL – 7600 FORSYTH BLVD.

Mr. Salim Rangwala, project architect and Mr. Ed Mangleson of People's Bank were in attendance at the meeting.

Catherine Powers explained that the applicant is proposing to remove the second story bay window and first floor basement window and install new arched windows that will span both floors. The new windows will have a light bronze tint; the frames will be bronze colored divided light. Additionally, the exterior will be renovated to add a vestibule area, which will protrude from the front façade of the building, but still meets zoning requirements for front yard setback. This extension will feature a glass doorway with a cast stone band above and an arched window on the second story. The foundation of the building will be cast stone and the visible roof will be standing seam metal. A percentage of the top of the building is proposed in EIFS material for weight load issues. The exterior renovations are a great improvement over present conditions and are part of a larger effort to bring the building up to Code. Staff does not prefer the use of EIFS, although it is more in keeping with a commercial application versus residential. The applicant indicates that the color and texture of the EIFS will match the stone base. The applicant has also indicated that weight issues have led to the decision to use the EIFS material. Given these circumstances, staff has no objections to the use of EIFS as proposed and recommends approval as submitted.

Mr. Mangleson advised the members that they are out of Mount Vernon and they opened their first Missouri location last July. He stated that First American Title has vacated the premises and that People's Bank would like to occupy all 8,000 square feet and house 8 to 12 employees. He stated he hopes the design will compliment Clayton.

Mr. Rangwala stated that there were seismic considerations that had to be incorporated into the design. He indicated that the building will become 100% ADA accessible with a new exterior lift. He stated the building has been designed to appear more bank-like. He stated the steps, which are now off of Lyle will be moved over to Forsyth.

A color rendering was presented.

Mr. Rangwala explained the project, indicating that the projected bay windows and brick will be removed on the north elevation and replaced with bronze glass; cast stone will run along the bottom of the building and the top will be EIFS to match the stone and the entry will be raised to highlight the entrance.

Chairman Sanger asked if the front entrance will still be on the Lyle elevation.

Mr. Rangwala replied "yes".

Steve Lichtenfeld asked if the address is on the front door or on the building.

Mr. Rangwala indicated that it is on the Forsyth elevation, but that he would prefer it be located on the corner of the building.

Steve Lichtenfeld commented that this is a great improvement over the existing design.

Chairman Sanger asked if the proposed EIFS is the water drainage system type.

Catherine Powers indicated that the majority of the EIFS used in Clayton is the water drainage system type.

Mike Schoedel asked if the architect is comfortable with the use of EIFS.

Mr. Rangwala replied “yes”; he stated it will not be used on the ground level of the building and that if it is done correctly, it can stand the test of time.

Debbie Igielnik commented that the new building design is very attractive.

Being no further questions or comments, Steve Lichtenfeld made a motion to approve as submitted. The motion was seconded by Debbie Igielnik and unanimously approved by the Board.

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Mike Schoedel congratulated Jason Jaggi on receiving the LEED - New Construction Technical Workshop certificate.

Chairman Sanger commented about the architectural concerns regarding the Centene Project, especially with regard to the plain square glass tower. He stated that he feels this building should be a signature building.

Mike Schoedel advised the other members that Centene recently made a presentation to the Board of Aldermen and that representatives of Centene were told on numerous occasions of the aesthetic importance of the tower buildings and that they are still trying to convince the City that the design, as proposed, has character. Mike stated that to date, they have not revised the building design.

Catherine Powers stated that another issue that was raised during the conceptual presentation to this Board was that the corner of Forsyth and Hanley be a presence. She stated that this corner has also not been revised.

Steve Lichtenfeld commented that he thought it was made clear to them about the importance of that corner.

Mike Schoedel stated that the garage wall is also a topic of discussion and that all these items are still being worked on between staff and Centene representatives.

Chairman Sanger indicated that he is disappointed in what he has seen so far and that the message must be delivered again as to what the City wants as this is a very important building and a very important corner.

Steve Lichtenfeld agreed; he stated this building will be the vision of Forsyth.

Being no further business for the Plan Commission/Architectural Review Board, this meeting adjourned at 7:05 p.m.

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Recording Secretary